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**LAW OFFICES OF  
LOUIS E. GITOMER**

LOUIS E. GITOMER  
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March 30, 2011

**SURFACE TRANSPORTATION BOARD**

THE ADAMS BUILDING, SUITE 301  
600 BALTIMORE AVENUE  
TOWSON, MARYLAND 21204-4022  
(202) 466-6532  
FAX (410) 332-0885

Ms. Cynthia T. Brown  
Chief of the Section of Administration, Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, D. C. 20423

Dear Ms. Brown:

I have enclosed for e-filing the document described below, to be recorded pursuant to 49 U.S.C. § 11301.

The document is an Amendment, a secondary document, dated as of March 23, 2011. The primary document to which this is connected is recorded under Recordation No. 26408. We request that this document be recorded under Recordation No. 26408-A.

The names and addresses of the parties to the Amendment are:

Lessor:

Banc of America Leasing & Capital, LLC  
2059 Northlake Parkway, 4 South  
Tucker, GA 30084

Lessees:

CEMEX, Inc.  
CEMEX Construction Materials Pacific, LLC  
CEMEX Construction Materials Atlantic, LLC  
CEMEX Construction Materials Florida, LLC  
CEMEX Construction Materials South, LLC  
Nor-Cal Readymix, Inc.  
Western Equipment Co.  
RMC Pacific Materials, Inc.  
1200 Smith Street  
Houston, TX 77002

A description of the equipment covered by the Amendment consists of one trackmobile numbered Serial Number 51M51482.

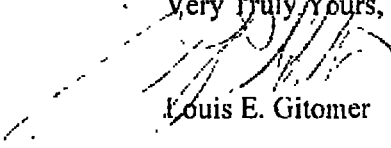
Ms. Cynthia T. Brown  
March 30, 2011  
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A fee of \$41.00 is enclosed. Please return one copy by email to:

Louis F. Gitomer  
600 Baltimore Avenue, Suite 301  
Towson, MD 21204  
Lou\_Gitomer@verizon.net

A short summary of the document to appear in the index follows: a Amendment between Banc of America Leasing & Capital, LLC, 2059 Northlake Parkway, 4 South, Tucker, GA 30084, and CEMEX, Inc., CEMEX Construction Materials Pacific, LLC, CEMEX Construction Materials Atlantic, LLC, CEMEX Construction Materials Florida, LLC, CEMEX Construction Materials South, LLC, Nor-Cal Readymix, Inc., Western Equipment Co., and RMC Pacific Materials, Inc., 1200 Smith Street, Houston, TX 77002, covering one trackmobile numbered Serial Number 51M51482.

Very Truly Yours,



Louis E. Gitomer

Enclosure

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**SURFACE TRANSPORTATION BOARD**

**AMENDMENT**

Banc of America Leasing & Capital, LLC ("BALC"), as lessor, and CEMEX, Inc. ("CEMEX"), as lessee, entered a Memorandum of Lease Agreement dated as of June 12, 2006 (the "Memorandum") for one trackmobile: Serial Number 5TM51482 (the "Equipment").

The Memorandum was recorded with the Surface Transportation Board on June 22, 2006 under Recordation No. 26408.

As a result of a corporate restructuring, additional Co-Lessees of the Equipment will be CEMEX Construction Materials Pacific, LLC, CEMEX Construction Materials Atlantic, LLC, CEMEX Construction Materials Florida, LLC, CEMEX Construction Materials South, LLC, Nor-Cal Readymix, Inc., Western Equipment Co., and RMC Pacific Materials, Inc. (collectively, the "New Lessees"). By this Amendment, and for good and valuable consideration, BALC, CEMEX, and the New Lessees have agreed to amend the Memorandum to include the New Lessees, as lessees under the Memorandum.

This Amendment may be executed in any number of counterparts, each executed counterpart constituting an original but all together only one Amendment.

IN WITNESS WHEREOF, the parties hereto have duly executed this Amendment as of March 23rd, 2011.

Banc of America Leasing & Capital, LLC,  
as Lessor.

By [Signature]  
Name: Cristina Foley  
Title: Vice President

CEMEX, Inc.,  
as Lessee

By [Signature]  
Name: Alejandro Benavides  
Title: Treasurer

CEMEX Construction Materials Pacific, LLC,  
as Lessee

By [Signature]  
Name: Thomas J. Juffer  
Title: Treasurer/Secretary

CEMEX Construction Materials Atlantic, LLC,  
as Lessee

By: \_\_\_\_\_  
Name: Thomas Edgeller  
Title: Treasurer Secretary

CEMEX Construction Materials Florida, LLC,  
as Lessee

By: \_\_\_\_\_  
Name: Thomas Edgeller  
Title: Treasurer Secretary

CEMEX Construction Materials South, LLC,  
as Lessee

By: \_\_\_\_\_  
Name: Thomas Edgeller  
Title: Treasurer Secretary

Nor-Cal Readymix, Inc.  
as Lessee

By: \_\_\_\_\_  
Name: Thomas Edgeller  
Title: Treasurer Secretary

Western Equipment Co.  
as Lessee

By: \_\_\_\_\_  
Name: Thomas Edgeller  
Title: Treasurer Secretary

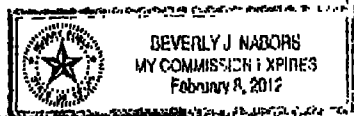
RMC Pacific Materials, Inc.  
as Lessee

By: \_\_\_\_\_  
Name: Thomas Edgeller  
Title: Treasurer Secretary

STATE OF )  
 ) ss  
COUNTY OF )

On this 23 day of March, 2011, before me, Dorothy L. Nador, the undersigned Notary Public, personally appeared Alejandro Benavides personally known to me to be the person who executed the within instrument as Treasurer on behalf of Cemex, Inc., and acknowledged to me that the corporation executed it.

[Seal]



Dorothy L. Nador  
Notary Public

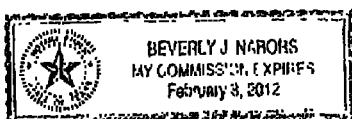
My commission expires:

2/8/12

STATE OF )  
 ) ss.  
COUNTY OF )

On this 23 day of March, 2011, before me, Beverly J. Narons, the undersigned Notary Public, personally appeared Thomas Edgeller personally known to me to be the person who executed the within instrument as Treasurer/Secretary on behalf of CEMEX Construction Materials Atlantic, LLC, CEMEX Construction Materials Pacific, LLC, CEMEX Construction Materials Florida, LLC, CEMEX Construction Materials South, LLC, Nor-Cal Ready Mix, Inc., Western Equipment Co., and RMC Pacific Materials, Inc., and acknowledged to me that the corporation executed it

[Seal]



Beverly J. Narons  
Notary Public

My commission expires.

March 2012

STATE OF GEORGIA )  
 ) ss.  
COUNTY OF CONNELL )

On this 23<sup>rd</sup> day of March, 2011, before me, JEANNE MARIE MARTELL, the undersigned Notary Public, personally appeared Cristina Foley personally known to me to be the person who executed the within instrument as Vice President on behalf of Banc of America Leasing & Capital, LLC, and acknowledged to me that the corporation executed it.

[Seal]

*Jeanne Marie Martell*  
Notary Public

My commission expires

July 9, 2011

**JEANNE MARIE MARTELL**  
NOTARY PUBLIC  
Gwinnett County - State of Georgia  
My Comm. Expires July 9, 2011